

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RAFAEL FOX, PAUL D'AURIA and JILL
SHWINER,

Plaintiffs,

-against-

STARBUCKS CORPORATION d/b/a
STARBUCKS COFFEE COMPANY,

Defendant.

Case No. 19-CV-4650 (AJN)

**DECLARATION OF A. MICHAEL
WEBER**

I, **A. MICHAEL WEBER**, an attorney duly admitted to practice before this Court, hereby declare under penalty of perjury that the following is true and correct:

1. I am an attorney with the law firm of Littler Mendelson, P.C., counsel for Defendant Starbucks Corporation d/b/a Starbucks Coffee Company (“Starbucks” or “Defendant”) in this action. I am fully familiar with the facts and circumstances set forth herein based on the pleadings and the discovery record submitted herewith. I make this declaration to put before the Court certain documents and testimony relevant to Defendant’s motion for summary judgment.

2. Annexed hereto as Exhibit A is a true and correct copy of the relevant pages of the transcript of the deposition of Carla Ruffin taken on August 21, 2020.

3. Annexed hereto as Exhibit B is a true and correct copy of the relevant pages of the transcript of the deposition of Plaintiff Rafael Fox with relevant exhibits taken on August 12, 2020.

4. Annexed hereto as Exhibit C is a true and correct copy of the relevant pages of the transcript of the deposition of Plaintiff Paul D’Auria taken on September 9, 2020.

5. Annexed hereto as Exhibit D is a true and correct copy of the relevant pages of the transcript of the deposition of Plaintiff Jill Shwiner with relevant exhibits taken on September 11, 2020.

6. Annexed hereto as Exhibit E is a true and correct copy of the relevant pages of the transcript of the deposition of Keith Costello taken on August 19, 2020.

7. Annexed hereto as Exhibit F is a true and correct copy of the relevant pages of the transcript of the deposition of Rami Kranz taken on September 15, 2020.

8. Annexed hereto as Exhibit G is a true and correct copy of AVP's November 11, 2019 subpoena responses.

9. Annexed hereto as Exhibit H is a true and correct copy of the relevant pages of the transcript of the deposition of Leslie Fable taken on September 29, 2020.

10. Annexed hereto as Exhibit I is a true and correct copy of the relevant pages of the transcript of the deposition of Timothy Hutchinson taken on September 1, 2020.

11. Annexed hereto as Exhibit J is a true and correct copy of the relevant pages of the transcript of the deposition of Rachel Kelly taken on September 2, 2020.

12. Annexed hereto as Exhibit K is a true and correct copy of the relevant pages of the transcript of the deposition of Tina McDonald taken on August 27, 2020.

13. Annexed hereto as Exhibit L is a true and copy of a document produced by Plaintiffs, ESI00005493, reflecting Rafael Fox's communications with the New York City Department of Consumer Affairs ("DCA") concerning the resolution of its investigation of Starbucks arising from the DCA's January 5, 2018 notice related to Fair Workweek practices at Mr. Fox's store.

I declare under penalty of perjury, that the foregoing is true and correct.

/s/ A. Michael Weber

Date: January 14, 2021
New York, New York